

MINUTES OF THE
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD OCTOBER 13, 2014

The Board of Supervisors held their regular monthly meeting on Monday, October 13, 2014. Present for the meeting were supervisors Ray Kolb, Mariea Geho, W. Atlee Rinehart, Michael Albert Moyer and Karen Nocella. Also present were Bernard A. Rodgers, Township Manager, Mark A. Hosterman, Township Solicitor, and Brady L. Flaharty, Township Engineer.

Mr. Kolb called the meeting to order at 7:05 p.m. and the pledge of allegiance was recited.

Mr. Hosterman stated that an executive session was held at 6:00 p.m. immediately preceding this meeting to discuss several personnel matters and potential acquisition of real estate.

Hearings and Adoptions

Ordinance No. 202 – Municipal Pension Plan

Mr. Hosterman opened the public hearing for consideration and adoption of Ordinance No. 202 at 7:10 p.m.

Mr. Hosterman provided an overview of proposed Ordinance No. 202 as follows:

AN ORDINANCE OF EAST COVENTRY TOWNSHIP, CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, ELECTING TO AMEND ITS MUNICIPAL PENSION PLAN ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW; AND AGREEING TO BE BOUND BY ALL PROVISIONS OF THE PENNSYLVANIA MUNICIPAL RETIREMENT LAW AS AMENDED AND AS APPLICABLE TO MEMBER MUNICIPALITIES.

Mr. Hosterman asked if the Board of Supervisors had any comments or questions regarding proposed Ordinance No. 202. There were no comments or questions from the Board of Supervisors

Mr. Hosterman asked if there were any questions and/or comments regarding proposed Ordinance No. 202 from the public and there were none.

Mr. Hosterman closed the hearing at 7:15 p.m.

Mrs. Geho moved to approve Ordinance No. 202 amending the Municipal Pension Plan. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

1. MINUTES

Minutes of January 13, 2014

Mr. Rinehart moved to approve the minutes of the September 8, 2014 monthly meeting as amended. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote. Amendment being under item 6. Real Pro Enterprises Conditional Use revising the last sentence of the first paragraph to read, "Mr. Hosterman presented an overview of the "Decision and Conditions" prepared for the Board of Supervisors consideration."

Minutes of the 10/13/14 Board of Supervisors Meeting

2. PUBLIC COMMENTS

Leaf and Yard Waste Drop-Off

Walter Woessner, Jr. of 164 Schoolhouse Road, Pottstown, Pa. commented that residents of North Coventry and South Coventry Townships take their materials to Arborganic Acres and are not charged because those Townships contribute in some fashion to Arborganic Acres on their residents' behalf. He suggested that East Coventry Township also consider a contribution to Arborganic Acres. Mrs. Geho queried if a contribution would be yearly and Mr. Woessner indicated that he thought that would be the case.

Spring City Library

Missy King of 10 Eleanor Drive, Spring City, Pa. noted that the Board of Supervisors had budgeted \$2500.00 in 2014 as a contribution to the Spring City Library. She noted that 2014 was the first year East Coventry had made a contribution, that the expanded/renovated Library was in use and East Coventry should continue the \$2500.00 contribution.

Limerick Nuclear Plant's Bleach Spill (10-7014) into Schuylkill River

Michael Moyer distributed an email that, The Alliance For A Clean Environment had sent to Lynda Rebarchak of PA DEP, Southwest Regional Office. He noted that the email had sought answers to specific questions concerning the spill and the Department's response. Mr. Moyer stated that he was informed that the Department was not intending to respond to the questions and he felt that was inappropriate action on the part of the Department. Mr. Moyer moved that the Township Manager be directed to write a letter to Lynda Rebarchak asking her to answer the questions posed by the Alliance. After some discussion Mrs. Geho seconded the motion with the condition that any response from Ms. Rebarchak be directed to the Township. **Mr. Kolb called for the vote and the motion carried with a 5-0-0.**

3. REPORTS

Township Manager's Report

Accepting Resignation of Bonnie Frisco

Mr. Rodgers distributed a letter from Bonnie Frisco, Administrative Assistant advising the Township that she was resigning her position effective Friday, October 3, 2014. Mr. Rodgers recommended that the Board adopt a motion accepting Ms. Frisco's resignation. A motion was made by Mr. Rinehart to accept Ms. Frisco's resignation. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Hiring New Public Works Employee

Mr. Moyer moved to hire Dave Rischel full-time for the Public Works Department. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote. Mr. Rischel's start date would be November 3, 2014 at the hourly rate of \$25.18 as a Public Works Operator.

2015 MMO (Minimum Municipal Obligation) Township Pension Plans

Mr. Rodgers reviewed an email and Memo dated September 25, 2014 from him to the Board of Supervisors along with copies of the MMO Worksheet for the Township's Police and Non-Uniformed Employees Pension Plans. He explained that starting with 2015 there would be two

(2) MMOs for each pension plan because of changes made to each plan in 2014. Both plans were changed to require employee contributions from new plan participants. Separate MMOs had to be provided for the costs associated with those participants who make contributions versus those who don't. He explained the Worksheets noting that the MMOs for the Police Pension Plan for 2015 were \$142,946.00 for the non contributing members and \$8,808.00 for contributing members and the MMOs for the Non-Uniformed Employee Plan were \$68,180.00 for non contributing and \$2,244.00 for contributing members. It was noted that total of all the MMO costs (\$222,178.00) had to be budgeted in 2015. The Township can expect to receive approximately \$85,000.00 in 2015 in State shared revenue to offset the MMO costs. A discussion ensued regarding the difference between the funds received for the volunteer fire company and the pension plans. The Township's MMOs for 2015 will be approximately \$50,000.00 higher than in 2014 due to a change in assumptions used by PMRS in performing the actuarial studies.

Peterman Road Traffic Signal

Robert Lynn, P. E. from Hanover Engineers was present to discuss his firms work on updating the design plans for installing a traffic signal at Peterman Road and Route 724, including improvements to the intersection. He reviewed the proposed intersection improvements and discussed the need for obtaining an NPDES permit but advised the Board that the intersection did not meet PennDOT warrants for obtaining a Highway Occupancy Permit at this time. He advised that the traffic count was short of what PennDOT required. A discussion ensued on whether or not to proceed with finishing the intersection improvements design or place the project on hold until warrants could be met. A motion was made by Mr. Kolb moved to put the project on hold. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Draft 2015 Township Budgets

Mr. Rodgers provided an overview of the draft 2015 budgets as seen below.

| | General Fund | Fire Hydrant Fund | Open Space Fund | Sewer Operating Fund | Sewer Capital Fund | Traffic Impact Fund | Capital Reserve Fund | Highway State Aid Fund | Benefit Escrow Fund | Total All Funds |
|------------------------------|---------------------|--------------------|---------------------|----------------------|-----------------------|---------------------|----------------------|------------------------|---------------------|-----------------------|
| Beginning Balance | 810,470.00 | 8,800.00 | 439,068.08 | 10,800.27 | 1,216,335.00 | 498,561.83 | 880,232.27 | 81,535.00 | 24,121.92 | 3,969,924.37 |
| Revenues | 3,036,514.63 | 15,010.00 | 569,150.00 | 705,620.00 | 48,850.00 | 1,400.00 | 700.00 | 212,363.31 | 10,015.00 | 4,599,622.94 |
| Total Available Funds | 3,846,984.63 | 23,810.00 | 1,008,218.08 | 716,420.27 | 1,265,185.00 | 499,961.83 | 880,932.27 | 293,898.31 | 34,136.92 | 8,569,547.31 |
| Expenses | 2,975,153.20 | 11,800.00 | 207,066.36 | 704,252.07 | 20,000.00 | 369,000.00 | 130,000.00 | 277,800.00 | 00.00 | 4,695,071.63 |
| Ending Balance | \$871,831.43 | \$12,010.00 | \$801,151.72 | \$9,871.07 | \$1,245,185.00 | \$130,961.83 | \$750,932.27 | \$16,098.31 | \$25,668.00 | \$3,874,475.68 |

Mr. Rodgers advised that the Board did not need to take action regarding these budgets until the November meeting and that the Board should review the draft budget(s) until the November meeting. Any changes to the budget numbers as presented should be made at the November meeting prior to the Board authorizing the budget(s) for adoption at the December meeting. Mr. Rodgers noted that the general millage would stay at 3 mills and that the fire hydrant tax would

need to be re-instated for 2015 at 0.12 mill. The only significant change proposed was adding an additional police officer during the second quarter of 2015 at a cost of \$67,569.00 for the remainder of the year.

CCATO Fall Convention

The CCATO Fall Convention scheduled for November 6, 2014 at Mendenhall Inn was discussed and it was determined that no one was able to attend.

Chester County SPCA

The contract information from the Chester County SPCA for 2015 was discussed. Mr. Moyer moved to approve Contract #1: 2015 Full Contract for \$1500. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Pennsylvania Compensation and Rating Bureau (PCRB)

Mr. Rodgers reviewed correspondence received from the PCRB dated October 13, 2014 that discussed the population served by the Ridge Fire Company. He noted that the PCRB uses that population to determine the premium set by SWIF for the Workmen's Compensation insurance which East Coventry Township is obligated to pay because the Fire Company is located within the Township. He noted that the PCRB had questioned the population being served and he had contacted the other municipalities to obtain a more accurate number and relayed that number to the PCRB. The number is higher than previously thought and as a result Mr. Rodgers believed the premium would rise. Currently the premium is approximately \$26,500.00 and it will most likely increase to between \$28,000 and \$30,000 for 2015. The Fire Company serves East Vincent, West Vincent, South Coventry and Warwick in addition to East Coventry Township. Mr. Rodgers stated that contributions to pay the premium are requested from each of the municipalities based on their share of the total population served.

DVRPC 2014 Municipal Bridge Retro-Reimbursement Program Application

Mr. Rodgers explained that a grant application was prepared by McMahon Associates and submitted to the DVRPC for replacement of the Haldeman/Kulp Road bridge over Pigeon Creek. A copy of the application is included in the Board's meeting packet. The total project cost is estimated at \$675,000 and the Township would be re-imbursed 80% of the cost from PennDOT, if the project were selected. The grant program employs PennDOT's retro-reimbursement process.

Township Engineer's Report

Mr. Moyer moved to approve the Township Engineer's report. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote. Mr. Flaharty noted that the review of the sanitary sewer design for the Manley project on Ellis Woods Road was progressing.

Reports from Various Departments and Committees

Mrs. Geho moved to approve the reports from the various departments and committees. Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

4. SUBDIVISION AND LAND DEVELOPMENTS

Mr. Rinehart inquired about the status of the Green Acres Subdivision. Mr. Woessner, Chairman of the Township Planning Commission advised the Board that representatives had attended a Planning Commission meeting to discuss a sketch plan for a three (3) lot subdivision. It was noted that this same property had been approved for subdivision years earlier but the conditions of approval have not been met.

5. ZONING HEARING BOARD APPLICATIONS

344 Zieber Road – Jeremy Stierly

Zoning Hearing Board Application for a variance was submitted by Jeremy Stierly relating to 344 Zieber Road – the hearing is scheduled for October 22, 2014.

118 Hershey Drive – David and Mary Blye

Zoning Hearing Board Application for a variance was submitted by David and Mary Blye relating to 118 Hershey Drive – the hearing is scheduled for October 22, 2014.

Mr. Rodgers noted that the Stierly and Blye applications were discussed at the September 8, 2014 meeting at which time the Board decided to not take any action, however, the variance application submitted by Corey Bowlby had not been submitted at that time.

645 Ridge Road – Corey Bowlby

Consideration of discussion regarding a Zoning Hearing Board Application for a variance submitted by Corey Bowlby relating to 645 Ridge Road – hearing scheduled for October 22, 2014. Mr. Rodgers explained that the Bowlby's had been sent a Notice of Violation for building a stable without a zoning permit, placing it too close to the property line and having too many horses on the property. They applied for a zoning variance to allow the stable to remain at the location it was improperly placed and to have six (6) horses on the property rather than the three (3) that were permitted by right. After some additional discussion Mr. Rinehart moved to take no action on the Zoning Hearing Board application of Corey Bowlby as it relates to 645 Ridge Road. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

6. OTHER BUSINESS

Police Department Vehicle

A Memo dated September 25, 2014 from Chief Theobald to the Board of Supervisors and Township Manager requesting authorization to purchase a 2014 Dodge Charger Police vehicle in the amount of \$25,006.00 from a COSTARS Contract was reviewed. Mr. Kolb moved to approve the purchase of the new police vehicle as requested by Chief Theobald in the amount of \$25,006.00. Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Police Department – Aggressive Driving Grant

A Memo dated September 30, 2014 from Chief Theobald to the Board of Supervisors and Township Manager concerning acceptance of an Agreement from the Pennsylvania Aggressive Driving Enforcement and Education Project (PAADEEP) was reviewed. Mr. Moyer inquired

whether Section 10. c. Liability Insurance presented a concern because it required the Township to indemnify and hold harmless the Commonwealth. This was discussed and was thought not to be of concern to the Township because it dealt with providing workmen's compensation insurance and the Township already was required to have workmen's compensation insurance. Mrs. Geho moved to approve the Conditions of Agreement with PAADEEP. Mr. Rinehart seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Fire Police Requests

Mr. Kolb moved to approve the fire police requests for:

| | |
|---|-----------------------------|
| Farmers Daughter Farm Market, Christina Fry | October 11 and 12, 2014 |
| Twin Valley Fire Department, Wm. Bailey | October 15, 2014 |
| Farmers Daughter Farm Market, Christina Fry | October 18 and 19, 2014 |
| OJR Education Foundation, OJR Best Buddies | October 19, 2014 |
| Ryan T. Monaghan | |
| OJR Music Parents | October 4, 2014 |
| Linfield Fire Company, Shawn McAlarnen | October 24, 25 and 26, 2014 |

Mrs. Geho seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0.

Tax Collection Committee

The Tax Collection Meeting Agenda and packet from the Chester County Tax Collection Committee dated September 2014 was discussed. Mr. Rinehart noted that the meeting was scheduled for November 11, 2014 at 6PM at the Chester county Intermediate Unit, 455 Boot Road, Downingtown, Pa. and asked if the Board had any concerns or issues it thought should be addressed when he was there. There were not any matters of concern raised by the Board.

Exonerations and Exemptions

Mr. Rodgers noted that he had forgotten to provide the Board with the list supplied by the Tax Collection. Therefore, the list will need to be approved and affirmed at the Novemebr meeting.

7. PAYMENT OF THE BILLS

Mrs. Geho moved to pay bills as presented:

| Fund Name | Amount to Pay |
|-------------------------|----------------------|
| General Fund | 373,968.82 |
| Fire Hydrant Fund | 472.94 |
| Open Space | 35,207.58 |
| Sewer Operating Fund | 16,409.49 |
| Sewer Capital Fund | - |
| Traffic Impact Fee Fund | 885.00 |
| Capital Reserve | - |
| Highway State Aid Fund | 11,106.32 |

| | |
|----------------------|----------------------|
| TD Escrow | - |
| Heritage Escrow Fund | - |
| Totals | \$ 438,050.15 |

Mr. Kolb seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

8. ADDITIONAL ITEMS BROUGHT TO THE BOARD

Meadow Grass Planting

Mariea Geho reviewed her discussions with Natural Lands Trust concerning planting meadow grass on the Wineberry Estates open space. Walt Woessner inquired about how to keep weeds under control and Mrs. Geho explained by using herbicides. No action was required from the Board.

Mr. Hosterman distributed a draft amendment to the zoning ordinance for “**Wireless Communications Facilities Overlay District Boundaries and Regulations**”. He explained that this was prepared at the request of the Board to address placement of microfacilities (mini towers) within the Township. He suggested that the Board review this draft document and be prepared to discuss it in detail at the November meeting. After further Board review it should be forwarded to the Township Planning Commission for review and comment and then considered by the Board for advertising and adoption in accordance with the MPC.

9. ADJOURNMENT

Mrs. Geho moved to adjourn the monthly meeting at 8:50 p.m. Mrs. Nocella seconded the motion. Mr. Kolb called for the vote and **the motion** carried with a 5-0-0 vote.

Respectfully submitted,

Bernard A. Rodgers
Township Secretary